

April 30, 2001

MEMORANDUM

SUBJECT: Discussions with States and Tribes Regarding Proposed FY 2002 Enforcement Grant Program

FROM: Sylvia K. Lowrance/S/
Acting Assistant Administrator

TO: Acting Regional Administrator, Regions I-V and VII-X
Regional Administrator, Region VI
Acting Deputy Regional Administrators, Regions I-V and VII-X
Deputy Regional Administrator, Region VI
Regional Counsel, Regions I-X
Regional Enforcement Divisions Directors and Coordinators, Regions I-X
Chair, ECOS Compliance Committee

As announced on Monday, April 9, the President's Budget for FY 2002 includes \$25 million for grants to state and tribal environmental enforcement programs. This grant program will benefit our national environmental enforcement program by providing states much needed funds to enhance their programs. Since it is a new grant program, we will need to develop grant guidance quickly to be used as states and regions begin their annual grant planning process this summer. Accordingly, the purpose of this memo is to initiate a broad consultation process to solicit views about options and issues regarding the new program. The options and issues presented here are a starting point for discussions; we encourage additional options and recommendations.

As we have discussed with Regional Administrators and the Chair and Vice-Chair of the ECOS Compliance Committee, each Region will consult with their states and headquarters will consult with national organizations. After consultation, we will consider the comments, meet with the Chair and Vice-Chair of the Compliance Committee and develop draft grant guidance by early July. To aid in this consultation, attached is a paper entitled "Options Framework for FY 2002 State/Tribal Enforcement Grant Program." The paper should be used to guide your upcoming discussions with state and tribal representatives. The paper includes: 1) a discussion of context and preliminary assumptions, including attachments providing language about the grant program from FY 2002 budget documents and a brief description of current federal funding to states and tribes for enforcement and compliance assurance programs; 2) options about the use of funds by the states and tribes; 3) options for distribution of funds to states and tribes; 4) key policy and implementation issues about the grant program; and 5) steps to be taken over the next three months

to help design the program. **The options and issues in the paper are provided as a starting point** – they are offered to provide context and structure for the discussions. We expect the discussions will identify additional options and issues, and that the options and issues provided in the paper will likely be refined as a result of the upcoming discussions.

The following lays out details on the consultation process and its timing.

Regional Consultation

I would like the Regions to conduct discussions with state environmental, agricultural, and (if relevant) public health agencies about the issues and options. In addition, Regions also need to consult with tribal representatives about their needs and preferences regarding this program. Your discussions can take any form you choose – individual or collective meetings, conference calls, etc. – but the discussions should provide feedback that can be used to inform decisions about the program which will need to be made in early June. I would like you to provide that feedback no later than **Friday, May 25, 2001** to Michael Stahl, OECA's Acting Principal Deputy Assistant Administrator.

Headquarters Role

At the same time, headquarters will begin a round of discussions with representatives of national state and tribal associations and various external stakeholders. The headquarters discussions will also conclude by May 25 so that feedback from the regional and headquarters discussions can be analyzed in early June. After the feedback is analyzed, Headquarters will be responsible for organizing and directing a team of Headquarters and Regional personnel to begin the development of draft national grant guidance to be distributed in late June or early July.

If you have further questions about the upcoming discussions we are requesting, or about the grant program generally, please contact Michael Stahl at (202) 564-2280 or Nick Franco of his staff at (202) 564-0113.

Options Paper and Attachments

cc:	Michelle Hiller	Pete Pagano
	Mark Coleman	Brenda Greene
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